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6 | Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10 EDWARD T. BERGO as CHAIRMAN and KARL
11 BIK as CO-CHAIRMAN of the BOARD OF
12 TRUSTEES FOR THE CEMENT MASONS
13 HEALTH AND WELFARE TRUST FUND FOR
14 NORTHERN CALIFORNIA; CEMENT MASONS
15 VACATION/HOLIDAY TRUST FUND FOR
NORTHERN CALIFORNIA; CEMENT MASONS
PENSION TRUST FUND FOR NORTHERN
CALIFORNIA; and CEMENT MASONS
APPRENTICESHIP AND TRAINING TRUST
FUND FOR NORTHERN CALIFORNIA.

16 | Plaintiffs,

17 | v.

18 NEWCON CONCRETE CONSTRUCTION, INC.,
19 a California corporation; and MICHAEL HANSEN,
an Individual,

20 Defendants.

Case No.: C-05-5425 CRB

**PLAINTIFFS' STATEMENT IN LIEU
OF CASE MANAGEMENT
CONFERENCE STATEMENT;
(PROPOSED) CASE MANAGEMENT
ORDER**

DATE: April 28, 2006

TIME: 8:30 a.m.

COURTROOM: 8

JUDGE: Hon. Charles R. Breyer

22 Plaintiffs submit this statement in lieu of the Case Management Conference Statement and,
23 because of the status of the case as set forth below, request that the Case Management Conference
24 either be vacated or be continued for a period of 90 days.

25 The Complaint was filed against defendants Newcon Concrete Construction, Inc. and Michael
26 Hansen. Both defendants were served on January 24, 2006. Defendant Hansen brought a motion to
27 dismiss. By Order of Dismissal entered on March 17, 2006, the Court granted Mr. Hansen's motion,
28 with leave to amend. Plaintiffs chose not to file an amended complaint against Mr. Hansen, the time

1 to amend has expired, and Mr. Hansen has submitted a proposed form of Judgment to be issued by
2 the Court.

3 Defendant Newcon Concrete Construction, Inc. did not file a responsive pleading, and default
4 was entered against it on March 15, 2006. Plaintiffs will file a Motion for Default Judgment as to
5 Newcon, which will be set for hearing on June 9, 2006, or shortly thereafter.

6 In light of the status of the case, plaintiffs request that the Case Management Conference
7 either be vacated or be continued for a period of 90 days.

8 DATED: April 21, 2006

STANTON, KAY & WATSON, LLP

9
10 By Anne Bevington
11 Anne Bevington

12 Attorneys for Plaintiffs

14 **CASE MANAGEMENT ORDER**

15 The Case Management Conference previously set for April 28, 2006, at 8:30 a.m., is hereby:
16 [] Vacated.

17 [X] Continued to July 07, 2006, at the hour of 8:30, in
18 Courtroom 8, 19th Floor (San Francisco).

19 DATED: April 24, 2006

20 F:\CASES\8000\8000.202 Newcon Concrete\PLEADINGS\Request for Entry of Default

